



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

December 1, 2021

**BY CM/ECF**

The Honorable Edgardo Ramos  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Luis Merced et al.*, 19 Cr. 832 (ER)**

Dear Judge Ramos:

The Government respectfully requests that the Court grant Defendant Luis Merced and Defendant Dorian Brooks's motions for a severance,<sup>1</sup> and that the parties proceed to trial with respect to Defendants William Skinner and Dorian Brooks on December 13, 2021. Counsel for Defendants Luis Merced and William Skinner consent to this proposal. Counsel for Defendant Dorian Brooks is prepared to try the case on December 13, 2021 but has now withdrawn his prior request for a severance and would prefer to try the case in 2022.

As the Court is aware, counsel for Defendant Luis Merced is not in a position to proceed to trial on December 13, 2021. However, the other parties remain ready to try the case. In particular, the Government has already arranged for a number of out-of-state witnesses, including in-custody witnesses, to be in the district and ready to testify on December 13, 2021. One of the Government's witnesses is awaiting sentencing. Additionally, it will be challenging to find a date in the near future when all three sets of defense attorneys will be available to proceed to trial together. Based on conversations with defense counsel, it appears that the attorneys for Brooks and Skinner both have trial conflicts in 2022 that may further delay resolving this case until the Summer or Fall of 2022. Counsel for Defendant Luis Merced have no trial conflicts in the Spring of 2022. There is a strong public interest in a speedy trial in this case, which has now been pending for over two years, especially given that Defendants William Skinner and Dorian Brooks are currently prepared to proceed on December 13, 2021.

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<sup>1</sup> The Government understands that Brooks has since withdrawn his motion for a severance, which had previously suggested that Merced and Brooks will have inconsistent defenses at trial.

For these reasons, while the Government does not agree with the merits of the severance motions filed by Merced and Brooks, the Government believes that a severance should be granted here under the circumstances because of the challenges and uncertainty in scheduling a trial date for all three defendants in 2022.

Respectfully submitted,

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cc: All Counsel (by ECF)